

REMARKS

Initially, Applicant wishes to thank the Examiner for acknowledging the claim for foreign priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copy of the priority document.

Applicant additionally wishes to thank the Examiner for considering the materials cited in the Information Disclosure Statement filed in the present application on June 27, 2005, by the return of the signed and initialed PTO-1449 Form attached to the above-noted Information Disclosure Statement.

Applicants note that it is unclear whether or not the drawings, filed March 23, 2005, were accepted by the Examiner. While no objections to the drawings were made by the Examiner, there is no indication in line 10 of the PTOL-326 Form that the drawings were actually accepted. Applicant respectfully requests that the Examiner confirm that the drawings are in fact acceptable in the next written communication with Applicant.

In the Official Action, the Examiner noted that the Abstract should reflect the claimed invention in a single paragraph having about 100-150 words. The Abstract has been amended to reflect the claimed invention in a single paragraph having about 100-150 words.

The Examiner also indicated that claims 2-7 are directed to allowable subject matter.

Upon entry of the present response, claims 2-7 will have been amended. Claim 1 will have been canceled without prejudice or disclaimer. Claims 2-7 are currently pending. In this regard and in view of the hereincontained remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

Obviousness Rejection under §103(a)

The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over NOMURA (US Pat No 5,860,208) in view of NAKANO (US Pat No 6,920,687).

Applicants respectfully traverse the Examiner's rejection, and note that solely in order to advance the prosecution of the present application, Applicants have amended canceled independent claim 1 and rewritten claim 2 into independent form including all the limitations of claim 1. The cancellation of claim 1 is without prejudice or disclaimer. Applicants note that no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment.

Further, any other amendments made to the claims should only be considered to have been made for purposes unrelated to patentability and only to enhance clarity and to better conform with U.S. patent practice and procedure.

At least for the reasons that the Examiner indicated the presence of allowable subject matter, Applicants submit that all pending claims are now allowable.

Thus, Applicants respectfully submit that each and every pending claim of the present application meets the requirements for Patentability at least under 35 U.S.C. §103, and respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or suggests the present invention, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability (e.g., for cosmetic purposes), and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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